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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
Telephone Number Portability) CC Docket No. 95-116

COMMENTS

Sprint Corporation, on behalf of Sprint Communications Company, L.P. and the United and Central Telephone Companies, hereby respectfully submits its comments in response to the Public Notice released March 14, 1996 (DA 96-358) in the above-captioned proceeding. This Public Notice solicits comment on how passage of the Telecommunications Act of 1996 may affect issues raised in the Commission's July 1995 NPRM. As demonstrated below, the 1996 Act clearly gives the Commission the authority and the responsibility for mandating a permanent local number portability solution.

Section 251(b)(2) of the 1996 Act states that all LECs have the "duty to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission." Section 271(c)(2)(B)(xi) further specifies that the BOCs must comply in full with all regulations issued by the Commission "pursuant to section 251 to require [permanent] number portability."

The record in this proceeding has reinforced the obvious conclusion that true number portability is an essential element of and a precondition to the development of viable competition in the local and exchange access services market. The Act does

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allow the BOCs to implement so-called interim solutions such as remote call forwarding and direct inward dialing. However, their deficiencies are well-documented,¹ and it is obvious that such interim measures do not constitute true number portability and are grossly insufficient as anything other than a short-lived, stop gap procedure. The Commission should therefore take immediate steps to order the implementation of a true local number portability solution, such as the Location Routing Number (LRN) system, by a date certain.

The record developed by the Commission herein and the records separately developed by several state regulatory entities show that the LRN proposal is the only one which meets the settled criteria for a true local number portability solution: it is competitively neutral; it uses scarce numbering resources efficiently; it can be phased in within a reasonable period of time; and is "technically feasible." Most local and long distance telecommunications carriers have already coalesced to a large degree around LRN and have specifically rejected the other approaches to permanent local number portability which have been proposed to date, such as the carrier portability code, Stratus/U.S. Intelco, release to pivot, and one-time number change (GTE) approaches. Similarly, in each of the several states which have adopted a permanent local number portability solution,² LRN

¹ See, e.g., Sprint Comments in this docket dated September 12, 1995, p. 17.

² These states include Illinois; Maryland; Georgia; New York; and Colorado. In addition, the California industry workshop has recommended LRN. Several other states have also instituted

Footnote continued on next page

has been the preferred architecture. Several switch vendors have begun work on software upgrades to accommodate LRN, and have committed to deliver such upgrades by the second quarter of 1997.

Insofar as Sprint is aware, no party has challenged the "technical feasibility" of the LRN proposal.³ The concepts of database look-ups and single number location routing are well understood, and the network implementation issues associated with LRN involve nothing more than practical engineering solutions to technical problems similar to those already solved in other contexts. Concerns expressed in the record below about the lack of experience with any of the proposed long-term solutions⁴ should be mitigated by the technical work being done in the various state number portability proceedings.

Several states (in particular, Illinois) have been aggressively evaluating and implementing a permanent number portability solution, and the Commission should take advantage of the work done in those proceedings. Indeed, now is the ideal time for Commission action mandating LRN. The state efforts to date provide the Commission with valuable information regarding the fea-

investigations into a permanent local number portability solution, but have not yet adopted a solution.

³ LRN is a non-proprietary architecture that has been placed in the public domain by its original developer, Lucent Technologies (AT&T's equipment arm). See ex parte letter from G. Saleme, AT&T, to R. Keeney, Chief of the Common Carrier Bureau, March 12, 1996, p. 2. Lucent's original LRN architecture has been refined by other industry members in the course of number portability workshops sponsored by the various states.

⁴ See, e.g., Reply Comments of Nynex filed October 11, 1995, p. 4, in this docket.

sibility of LRN, and Commission leadership now would help to ensure that a uniform nationwide system of local number portability is implemented; would provide the necessary structure for deciding issues which are national in scope;⁵ and would prevent the unnecessary duplication of efforts and expenditure of resources inherent in starting 50 separate state proceedings from scratch. Many state regulatory bodies may have deferred instituting their own local number portability investigations out of an expectation that the Commission would take the lead on this issue as a result of the 1996 Act.

Of course, action by the Commission does not mean that portability development work in other venues should stop. To the contrary, the states and various industry fora could, if they so desire, continue their work on the technical and back office issues associated with local number portability. However, if a state adopts a local number portability solution which is different than the national solution adopted by the Commission, the Commission may wish to consider (and Sprint believes should consider) whether the benefits of the particular state solution -- taking into account the needs of comity and possible flexibility advantages -- outweigh the costs of non-uniformity.

In addition to mandating a true local number portability solution (LRN), the Commission should also specify a date certain

⁵ For example, it would be appropriate for the Commission to decide issues relating to deployment of regional SMS databases. An individual state would not have the authority to mandate a regional database solution; however, deployment of 50 separate SMS databases is inefficient.

by which that solution should be implemented. The adoption of a date certain is a key element of a Commission order on local number portability, since without it, implementation of a permanent solution will almost certainly be delayed indefinitely. Because local number portability would help to open up the local market to competition, the BOCs have a clear incentive to delay implementation of a true number portability solution for as long as possible. Indeed, some BOCs continue to insist that it is "premature" to decide upon a long-term solution at this time.⁶

The date chosen by the Commission for the deployment of a permanent portability solution should balance the benefits of rapid implementation with the resource constraints faced by local exchange carriers. Sprint believes that a fourth quarter 1997 target date for the top 100 MSAs reflects this balance.⁷ States such as Illinois, which have adopted a fast track schedule for deployment of an LRN architecture, would be free to continue along their own more rapid schedule.

Finally, Sprint believes that the Commission should issue a Further Notice of Proposed Rulemaking to obtain comment on various cost recovery issues. This FNPRM should be issued promptly to ensure that it can be completed prior to the date by which the Commission mandates implementation of a true portability solution.

⁶ See, e.g., ex parte letter from G. Evans, Nynex, to W. Caton, Acting Secretary, FCC, dated March 1, 1996.

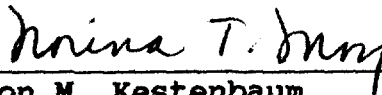
⁷ Sprint and others have recommended that the permanent solution be phased in over time based on the size of the market (see, e.g., Sprint's September 12, 1995 Comments, p. 12).

* * * * *

The 1996 Act gives the Commission the authority and responsibility for managing the implementation of a true system of local number portability. The Commission should therefore adopt the LRN architecture and mandate its deployment on a phased in basis beginning the fourth quarter of 1997.

Respectfully submitted,

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March 29, 1996

CERTIFICATE OF SERVICE

I, Joan A. Hesler, hereby certify that on this 29th day of March, 1996, a true copy of the foregoing "COMMENTS OF SPRINT CORP." was sent via First Class Mail, Postage Prepaid, or Hand Delivered, upon each of the parties listed below.


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